

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND
TRADEMARK OFFICE (REV 5-93)

ATTORNEY'S DOCKET NUMBER
0652.1830000/RWE/BEC

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. § 371**

U.S. APPLICATION NO. (IF KNOWN, SEE 37 C.F.R. § 1.5)

(to be assigned)

09/202984

INTERNATIONAL APPLICATION NO.

PCT/EP97/03329

INTERNATIONAL FILING DATE

25 June 1997

PRIORITY DATE CLAIMED

28 June 1996

TITLE OF INVENTION

PROCESS FOR COMPARATIVE SCREENING OF SUBSTANCES HAVING A PHARMACOLOGICAL
ACTIVITY

APPLICANT(S) FOR DO/EO/US

CZERNILOFSKY, Armin, Peter; VON RÜDEN, Thomas; HIMMLER, Adolf; LOEBER, Gerhard;
METZ, Thomas; SCHNITZER, Renate; SPEVAK, Walter; STRATOWA, Christian; TONTSCH, Ulrike;
WEYER-CZERNILOFSKY, Ulrike; WICHE-CASTANON, Maria, Josefa

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. § 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. § 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. § 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. § 371(c)(2)).
7. ☒ Amendments to the claims of the International application under PCT Article 19 (35 U.S.C. § 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 372(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. § 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. § 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. § 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
 - a. Copy of the International Search Report for PCT/EP97/03329.
 - b. Authorization To Treat A Reply As Incorporating An Extension Of Time Under 37 C.F.R. § 1.136(a)(3) (in duplicate).

09/202984-0399

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.50) (to be assigned)	INTERNATIONAL APPLICATION NO. PCT/EP97/03329	ATTACHED SHEET NUMBER 0652.1830000/RWE/BEC
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17. <input checked="" type="checkbox"/> The following fees are submitted:	CALCULATIONS	PTO USE ONLY																																																							
Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO \$840.00																																																									
International preliminary examination fee paid to USPTO (37 CFR 1.482) . \$670.00																																																									
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$760.00																																																									
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$970.00																																																									
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$ 96.00																																																									
ENTER APPROPRIATE BASIC FEE AMOUNT =	\$ 840.00																																																								
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$ 130.00																																																								
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">Claims</th> <th style="width:20%;">Number Filed</th> <th style="width:20%;">Number Extra</th> <th style="width:20%;">Rate</th> <th style="width:20%;"></th> </tr> <tr> <td>Total Claims</td> <td>28 - 20 =</td> <td>8</td> <td>X \$18.00</td> <td style="text-align: right;">\$ 144.00</td> </tr> <tr> <td>Independent Claims</td> <td>1 - 3 =</td> <td>0</td> <td>X \$78.00</td> <td style="text-align: right;">\$ -0-</td> </tr> <tr> <td colspan="3">Multiple dependent claim(s) (if applicable)</td> <td>+ \$260.00</td> <td style="text-align: right;">\$ -0-</td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> <td style="text-align: right;">\$ 1,114.00</td> </tr> <tr> <td colspan="4"> Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must be filed. (Note 37 CFR 1.9, 1.27, 1.28) </td> <td style="text-align: right;">\$ -0-</td> </tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL =</td> <td style="text-align: right;">\$ 1,114.00</td> </tr> <tr> <td colspan="4"> Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). </td> <td style="text-align: right;">\$ -0-</td> </tr> <tr> <td colspan="4">TOTAL NATIONAL FEE =</td> <td style="text-align: right;">\$ 1,114.00</td> </tr> <tr> <td colspan="4"> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover (37 CFR 3.28, 3.31). \$40.00 per property </td> <td style="text-align: right;">\$ -0-</td> </tr> <tr> <td colspan="4">TOTAL FEES ENCLOSED =</td> <td style="text-align: right;">\$ 1,114.00</td> </tr> </table>	Claims	Number Filed	Number Extra	Rate		Total Claims	28 - 20 =	8	X \$18.00	\$ 144.00	Independent Claims	1 - 3 =	0	X \$78.00	\$ -0-	Multiple dependent claim(s) (if applicable)			+ \$260.00	\$ -0-	TOTAL OF ABOVE CALCULATIONS =				\$ 1,114.00	Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must be filed. (Note 37 CFR 1.9, 1.27, 1.28)				\$ -0-	SUBTOTAL =				\$ 1,114.00	Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ -0-	TOTAL NATIONAL FEE =				\$ 1,114.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover (37 CFR 3.28, 3.31). \$40.00 per property				\$ -0-	TOTAL FEES ENCLOSED =				\$ 1,114.00		
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	charged	\$																																																							

a. ☒ A check in the amount of \$ 1,114.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0036. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit Under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO: STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. 1100 New York Avenue, NW, Suite 600 Washington, D.C. 20005-3934	<u>Robert W. Esmond</u> Signature <u>Robert W. Esmond</u> Type Name <u>32,893</u> Registration Number	<u>Dec. 23, 1998</u> Date
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PATENT APPLICATION SERIAL NO. 09/202984

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

01/05/1999 WCLAYBRD 00000025 09202984

01 FC:970	840.00	OP
02 FC:154	130.00	OP
03 FC:966	144.00	OP

PTO-1556
(5/87)